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Middle East
No. 50.

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Secret.

ADEN.

Question of Transfer.

CLOSED
UNTIL
1964

Papers, 1933.

(*Continued by Middle East No.* 56.)

8

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ADEN.

Question of Transfer.

Papers, 1933.

(*Continued by Middle East No.* 56.)

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Serial No., From or to Whom, Despatch No., &c., and Date.	Subject and Page No.
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38 Government of India to Secretary of State for India, Telegram No. 995 N November 30 (Copy rec. in Colonial Office ... ... December 5)	States, with reference to No. 36, that Government of India have no objections to representations being communicated to Joint Committee 35
39 Mr. H. R. Cowell (Colonial Office) to Mr. J. C. Walton (India Office) December 7	States, in reply to No. 37, that the Colonial Office can give an assurance that there will be no racial discrimination 35
40 Resident, Confidential, No. 285, November 29. (Rec. December 11)	Transmits copy of a despatch to the Government of India enclosing copy of the translation of Arab representations referred to in No. 36 35

ADEN.

PAPERS RELATING
to the
QUESTION OF TRANSFER
1933.

17960/33 [No. 1].

No. 1.

INDIA OFFICE to COLONIAL OFFICE.

(Very Secret.) India Office, Whitehall,
London, S.W.1, 2nd February, 1933.

SIR,

I AM directed by the Secretary of State for India to say that in connexion with the forthcoming constitutional legislation he has had under consideration the question of the future of Aden, and that he has thought it desirable to invite the views of the Government of India on the question of taking steps to separate the Settlement from India.

2. To enable them to consider the question further the Government of India are anxious for an indication of the views of His Majesty's Government on the following five points. They ask whether in the event of separation His Majesty's Government would be prepared to—

(*a*) relieve India of the contribution at present paid towards the military and political administration;

(*b*) maintain the policy of making Aden a free port;

(*c*) assume liability for the difference between revenue and administrative charges without imposing additional taxation or reducing the standard of administration. The present difference, on the basis of figures for 1929-30 to 1931-32, averages about £2,000 per annum, but will probably be more than covered by additional income tax receipts from certain Aden firms which now pay all their income tax in India instead of Aden;

(*d*) retain a proportion of Indian Service administrative personnel in Aden service for some years after transfer takes place;

(*e*) agree to the retention of the right of appeal in judicial cases to the Bombay High Court, if this is found to be administratively and legally possible.

3. The Secretary of State would suggest that the simplest course would be that the Government of India's inquiries should be considered in the Standing Aden Committee at the earliest possible date, and if Sir Philip Cunliffe-Lister agrees he would suggest that a meeting might be arranged, if possible, on Monday, 6th February. The Government of India are committed to consulting the Indian Legislature and the interests concerned before any action can be taken in regard to the future of Aden, and since it is important to reach a decision in time for its announcement, if necessary, as part of the proposals of His Majesty's Government on Indian Constitutional questions which are to be laid before Parliament in the course of the spring, it is, as will be appreciated, of the first importance to clear the ground with the minimum of delay.

4. Copies of this letter are being sent to the Treasury, Air Ministry, Admiralty, and War Office.

I am, &c.,
J. C. WALTON.

17960/33 [No. 18].

No. 2.

ADEN STANDING COMMITTEE

MINUTES OF THE NINETEENTH MEETING HELD ON THE 10TH FEBRUARY, 1933, AT THE COLONIAL OFFICE.

Present:

MR. H. R. COWELL, C.M.G. (In the Chair), Colonial Office.
MR. J. G. LAITHWAITE, MR G. E. CROMBIE } India Office.
MR. R. A. GRIEVE, O.B.E., Treasury.
GROUP-CAPTAIN R. E. C. PEIRSE, D.S.O., A.F.C., Air Ministry.
COMMANDER J. W. RIVETT-CARNAC, D.S.C., Admiralty.
LIEUTENANT-COLONEL G. B. HENDERSON, MR. A. EARL, C.B.E. } War Office.
MR. S. I. JAMES, Secretary.

MR. COWELL said that the meeting had been called to hold a preliminary discussion regarding the future of Aden in connexion with the forthcoming legislation in respect of India. The whole question had been reopened by a letter[3] from the India Office (copies of which had been sent to the Departments represented on the Committee), in which they said that the Government of India had asked for the views of His Majesty's Government on certain points in order that they might further consider the question of the separation of the Aden settlement from India. The Government of India had asked whether in the event of separation His Majesty's Government would be prepared to:—

(*a*) relieve India of the contribution at present paid towards the military and political administration;
(*b*) maintain the policy of making Aden a free port;
(*c*) assume liability for the difference between revenue and administrative charges without imposing additional taxation or reducing the standard of administration;
(*d*) retain a proportion of Indian Service administrative personnel in Aden service for some years after transfer takes place;
(*e*) agree to the retention of the right of appeal in judicial cases to the Bombay High Court, if this is found to be administratively and legally possible.

MR. COWELL said that he had discussed the whole question with the Secretary of State for the Colonies, and that his views on the various points were as follows:—

(*a*) This was a financial question which must be left to the Treasury.
(*b*) In view of the great importance at present attached to tariff considerations, the Secretary of State would not be prepared to *bind himself* to maintain Aden as a free port indefinitely, although in all probability it would remain so in practice.
(*c*) This is for the Treasury to decide, but if they are willing to meet the annual deficit in the administration of the settlement, the Colonial Office could undertake to maintain the existing standard of administration without increasing the burden of taxation. Such an undertaking would, however, be expressly liable to reconsideration in the event of any fundamental change of circumstances.
(*d*) This would clearly be to our advantage, and we should probably undertake to retain for a fixed period of years the Indian Service personnel in all posts in Aden in which they are at present employed. After which, the gradual substitution of Colonial Service officials in the Aden Service would be considered. Indians would, of course, remain eligible for appointment to such posts.
(*e*) There would be no objection to this, which would probably be the most convenient arrangement.

On the general question, the Secretary of State considered that it would be preferable for Aden to be under one administration, but if it were decided that the Government of India should make no further contribution to the military and political expenses, he would feel some doubt about approaching Parliament for the vote of such a considerable sum of money merely to alleviate administrative difficulties. He would require an assurance that there would be no interference on the part of the Government of India.

MR. COWELL said that it had also been suggested that an assurance would be required from His Majesty's Government that, if the Aden Settlement passed to their control, there would be no racial discrimination. There should be no difficulty about this.

MR. LAITHWAITE said the question of the transfer of Aden to His Majesty's Government had been raised with the Government of India, partly as the result of informal discussion with members of the interested Departments here. The Secretary of State and the Government of India were as yet uncommitted on the subject, and it would be necessary for the latter to consult the Indian Legislature and the interests involved before a final decision could be taken. The question was a controversial one in India, and any proposal for transfer would certainly be the subject of severe criticism in the Indian Legislature. There were two chief difficulties :—

(1) The Bombay commercial interests in Aden were very apprehensive that if the Settlement passed from Indian control, their interests would not be properly looked after.

Assurances on points (*b*) to (*e*) should go a long way to remove their objections, but Mr. Laithwaite was inclined to think that some more definite guarantee than that contemplated by the Secretary of State for the Colonies would be desirable as regards the maintenance of Aden as a free port.

(2) The transfer would be unpopular in any circumstances. But its unpopularity would be enormously aggravated if there were to be any questions of coupling it with the retention of any Indian financial contribution. In the Secretary of State's view it would be politically impossible to maintain any contribution in the event of transfer. A contribution could indeed be imposed and the money would be non-votable, but the item would be open for debate annually in the Indian legislature and the pressure for its abandonment would be exceedingly difficult to resist.

With regard to the question of maintaining Aden as a free port, MR. COWELL intimated that if there were a possibility of deadlock on this point, it would probably be possible to devise some formula to satisfy both sides.

MR. LAITHWAITE explained that the need for a decision was urgent, as it was desired to deal with the question in the White Paper which was to be issued at the end of March.

MR. GRIEVE emphasized the importance of reaching a decision now that the whole question of the future constitution of India was in the melting pot, and of not allowing the Aden question to go by default. He explained that, although it had been suggested that members of the Committee should be in a position to represent the views of their respective Ministers, it was quite impossible for him to refer the matter to the Chancellor of the Exchequer at this stage. He pointed out that this was a case in which the Chancellor must reserve his view until the various political and strategic considerations had been advanced by the Departments concerned. It was, he urged, for the other Departments to submit views to the Cabinet to which the Chancellor could speak. He could not, therefore, at this stage give any opinion as to what the Treasury attitude would be.

It was suggested that India might pay a fixed sum (probably less than the present maximum of £150,000 per annum) for a definite period of, say, 10 years.

MR. LAITHWAITE, however, thought that there could be no question in any circumstances of an Indian contribution in the event of transfer, save possibly as part of a general arrangement in which all portions of the Empire interested in the position of Aden would participate.

GROUP CAPTAIN PEIRSE said that the Air Ministry had never been satisfied with the present arrangement, and recalled the difficulties which had arisen at the time of the operations against the Imam in 1928. The transfer of Aden to the Home Government might, of course, involve an extra burden on air votes of some £85,000 (at present contributed by India), but this was a matter for the Treasury. From the point of view of speed and efficiency of administration, the Air Ministry had always advocated the change.

LIEUTENANT-COLONEL HENDERSON said that, although there was only a relatively small military contingent in Aden, the War Office agreed with the Air Ministry as to the desirability of having Aden under one administration. MR. EARL endorsed this view and said that, although the change would mean additional expenditure by the War Office of about £16,000, strategic interests must take precedence over financial ones.

At this point there emerged an aspect of the question which was new to the majority of the members of the Committee. This was that, if under the new Constitution, Aden remained a part of India, the existing arrangements, failing special provision, might not be continued and military control of the Settlement might revert to the Government of India.

GROUP CAPTAIN PEIRSE at once stated that this possibility entirely altered the situation, since the Air Ministry could not contemplate military control of Aden passing from the Imperial Government. He, therefore, suggested that the India Office should restate the position likely to result from the constitutional changes in India.

It was generally agreed that in the new circumstances an added importance was given to the need for arriving at a satisfactory settlement as to the future administration of Aden under the new Constitution. In reply to a question, MR. LAITHWAITE explained that defence and external affairs would, under the new Constitution, be reserved to the Governor-General.

MR. COWELL said that the port of Aden was a vital link in Imperial communications, and he suggested that it might not suit Admiralty requirements if the defence of the port was taken out of the hands of His Majesty's Government, since, in that case, the port would be in the same position as any other port in India.

COMMANDER RIVETT-CARNAC said that he had not come prepared to represent his Department's views on the wider issue which had been now raised. Speaking personally, he thought the Admiralty would, in the new conditions adumbrated, oppose the resumption by India of responsibility for the defence of Aden. Aden was an essential fuelling port and base on the lines of communication to the Far East; and if India obtained a greater degree of self-government its retention under Imperial control as an additional base for the East Indies Squadron would acquire added importance.

GROUP CAPTAIN PEIRSE said that the defence of the Protectorate would become more difficult still, if agreement had to be reached with the authorities in India on every step which had to be taken. The Air Ministry had never contemplated such an event, and the possibility of such conditions would clearly strengthen their view that it was desirable for Aden to become the entire responsibility of His Majesty's Government.

MR. COWELL said he imagined that we should be able to maintain our relations with the tribes of the Protectorate, provided that, as he supposed would be the case, we should be allowed to retain certain Political and Military Officers in Aden itself. At the same time, our interest in the Protectorate was only part of the defence scheme of the port of Aden. It seemed more than probable that if the defence of Aden became the concern of the authorities in India, considerable friction, if not inefficiency, might result.

After general discussion, it became clear that the crux of the problem was the defence of the port of Aden, and the question was whether the risks involved in the possible retransfer, now or at a later stage, of military control at Aden to the Indian Federation were such as could be faced. The following conclusion was eventually reached :—

> The India Office would prepare a memorandum for the Cabinet, setting out what the position was likely to be on the establishment of the Indian Federation as regards the exercise of military control at Aden, while the Admiralty and Air Ministry would submit a memorandum describing the strategic importance of the port of Aden and marshalling the arguments against the transfer of its military and political control to the Government of India.

MR. COWELL said that it did not appear necessary for the Colonial Office to put up a separate memorandum, since the political relations with the Protectorate tribes was only a minor aspect of the matter and was in fact only part of the defence question.

17968/33 [No. 1].

No. 3.

MR. J. G. LAITHWAITE (INDIA OFFICE)
to
MR. H. R. COWELL (COLONIAL OFFICE).

[*Answered by No. 4.*]

MY DEAR COWELL, India Office, Whitehall, S.W.1. 21st April, 1933.

I ENCLOSE a copy of an air mail letter from the Government of India, together with the enclosure in original. As you will see, it is proposed to replace the Aden

Civil and Criminal Justice Act, 1864 (and certain amending Acts), by a Regulation making provision for the administration of justice at Aden by Courts both Civil and Criminal. The change is, I understand, no more than a matter of procedure and raises no question of substance, and it is suggested solely consequent on the recent transfer of the administrative control of Aden from the Government of Bombay to the Government of India and the establishment of Aden as a Chief Commissioner's province.

I do not imagine that you will be very actively interested and write only to say that we propose, subject to any comments you may wish to make, to submit the Government of India's recommendation for approval. If you feel doubt on any point perhaps you would let me know and we might discuss it.

Yours, &c.,

J. G. LAITHWAITE.

Enclosure in No. 3.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

(Confidential.)

(No. 112 / F. 670/32—Judl.) New Delhi, the 3rd April, 1933.

To His Majesty's Secretary of State for India,
London.

As a result of transfer of control of Aden to Government of India, Chief Commissioner has suggested a draft Regulation to replace Aden Civil and Criminal Justice Act, 1864. Draft has been revised by Government of India and a copy of revised draft is enclosed. It is being forwarded to Chief Commissioner to be examined and if necessary further revised. Chief Commissioner and Government of Bombay consider, and we agree, that this is an urgent measure which should be promulgated as soon as possible. Meanwhile as you are aware question of separation of Aden from British India is under consideration. Bombay Government consider it desirable that draft should be issued before this separation takes effect. We agree and would be glad to know by telegram whether you see any objection to this course.

(Sd.)

Joint Secretary to the
Government of India.

17968/33 [No. 2].

No. 4.

MR. H. R. COWELL (COLONIAL OFFICE)

to

MR. J. G. LAITHWAITE (INDIA OFFICE).

[*Answered by No. 5.*]

DEAR LAITHWAITE, Downing Street, S.W.1, 6th May, 1933

THANK you for your letter of the 21st of April,* regarding the draft Regulation to replace the Aden Civil and Criminal Justice Act, 1864, and certain amending Acts.

The intention of Section 23 of the draft Regulations is not altogether clear to us, but we assume that the object is merely to assist the Somaliland Courts by enabling their decrees to be enforced against persons or property within the jurisdiction of the

* No. 3

Aden Courts. If this is correct, we have no objection to the Section. Apart from this, we have no comments to offer on the draft, which I return herewith.

The point has, however, been raised whether, if we take over Aden, we should be free to make whatever provision seemed proper to the Secretary of State in regard to procedure *prior* to appeal to the Bombay Courts. Roberts Wray assumes that this would be so; but you suggested that there might be, for all you knew, some technical difficulty. Perhaps you would ask Chamier about this?

Yours, &c.,
H. R. COWELL.

17968/33 [No. 3].

No. 5.

MR. J. G. LAITHWAITE (INDIA OFFICE)

to

MR. H. R. COWELL (COLONIAL OFFICE).

MY DEAR COWELL, India Office, Whitehall, S.W.1, 9th May, 1933.

MANY thanks for your letter of the 6th May,* about the draft Regulation to replace the Aden Civil and Criminal Justice Act, 1864, &c.

The assumption in the second paragraph of your letter is correct.

As regards the point in the last paragraph, I enclose a note by Sir Edward Chamier. We have not yet, as you know, considered in any detail the procedure to be adopted in connexion with the various details of the transfer of Aden. From what he says there seems, however, no reason to anticipate that any difficulty will arise over the matter in which you are interested.

Yours, &c.,
J. G. LAITHWAITE.

Enclosure in No. 5.

NOTE BY SIR EDWARD CHAMIER.

WHEN the island of St. Helena was made over to the Home Government and again when the Straits Settlements were made over to the Home Government statutory provision was made for the future government of the territories and for legislation *by Order in Council*, see 3 and 4 Will. IV. c. 85, Section 112, and 29 and 30 Vict. c. 115, Sections 1 and 2. Some such provision will be made in the case of Aden. I understand that in some way or other, it is intended to provide that the right of appeal to the Bombay High Court shall continue but I do not know whether this provision is to be made by the Statute itself or by Order in Council made under the Statute. In either case the Home Government will be able to make such provision as it thinks proper regarding procedure prior to appeal to the Bombay High Court. I see no reason for any difficulty about this.

E. CHAMIER,
8th May, 1933.

17960/33 [No. 24].

No. 6.

INDIA OFFICE to COLONIAL OFFICE.

SIR, India Office, 17th May, 1933.

I AM directed by the Secretary of State for India to transmit to you, for the information of the Under-Secretary of State, Colonial Office, copy of a telegram from

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* No. 4.

the Secretary of State to the Government of India and two letters from the Chief Commissioner for Aden on the subject of the Aden administration.

I am, &c.,
S. F. STEWART.

Reference to previous correspondence: Letter from the India Office of the 29th March, 1933.*

Copy also sent to Treasury.

Enclosure 1 in No. 6.

(Confidential.)
(No. C/215.)

SIR, The Residency, Aden, 18th April, 1933.

Future of Aden.

I HAVE the honour to forward a copy of a letter addressed to me by Mr. Framroze Hormusjee Cowasjee Dinshaw, and of its accompaniment, a copy of a resolution passed at a meeting convened in connexion with the future of Aden.

2. Mr. Framroze Hormusjee Cowasjee Dinshaw is the local head of the principal Indian (Parsee) firm in Aden. He has informed me that he has heard from a private source in India that the separation of Aden from India is contemplated, and that he therefore called this meeting in the hope of preventing it. I understand that it was attended by both Indians and Arabs. I told Mr. Framroze Hormusjee Cowasjee Dinshaw that I was prepared to forward to Government any considered resolution passed by a representative meeting, and I accordingly do so, with my comments.

3. It will be seen that the sense of the meeting was opposed to a transfer of Aden to the Colonial Office on general grounds, and particularly on account of its anticipated effect on the local salt industry, on post and telegraph charges, on the cost of administration, and on the method of government.

4. The future administration of Aden is an Imperial question of more than local concern, but I trust local interests will receive full consideration in any decision that is taken with regard to it.

5. The danger to the salt business of Aden if it loses the protection of the Indian salt tariff is obvious, and will be serious, especially in view of the severe competition of the recently established salt works at Ras Hafun in Italian Somaliland. The production of salt is Aden's only important industry, and a setback to it will affect very adversely not only the firms concerned but also Government revenue from income tax and royalties, and will cause a certain amount of local unemployment. It is therefore to be hoped that, whatever may be decided with regard to the future of Aden, means will be devised to safeguard the prosperity of its salt business.

6. I trust that the meeting's fears on other points will prove to be ill-founded, and that it will not be necessary to impose additional burdens on the community. I am of opinion that a change in the control of Aden need not, and ought not, involve any serious alterations in the existing system of administration, at any rate for several years; and that new taxation, new laws and a multiplication of new officials should be avoided. An official assurance to this effect would go far to allay misgivings with regard to a possible change of control if His Majesty's Government and the Government of India decide on making one.

I have, &c.,
B. R. REILLY,
Chief Commissioner.

To the Secretary to the Government of India,
Foreign and Political Department,
New Delhi

SIR, Aden, 17th April, 1933.

Proposed Transfer of Aden to Colonial Office.

A LARGELY attended meeting of Arab and Indian citizens was held yesterday evening under my presidentship to consider this question, when those assembled unanimously gave their verdict against the transfer and passed a resolution, a copy

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* 17960/33 [No. 22]: not printed.

of which I am forwarding you under instructions received. I am asked to request that you will be so good as to forward this resolution to proper quarters with such remarks in support thereof as you may deem necessary in the interests of those to whom this question most concerns, viz., the mercantile community of Aden comprised of Indian and Arab traders and merchants.

I understand that the Jews as a community entertain similar ideas as those expressed in the resolution, but were unable to attend the meeting on account of some festivities.

I have, &c.,
FRAMROZE H. C. DINSHAW

The Chief Commissioner,
Aden.

Resolution.

This meeting of Arab and Indian citizens of Aden view with alarm the contemplated transfer of Aden to the Colonial Office, which if carried into effect would not fulfil the pledges given by the Government of India through its accredited representatives from time to time. The transfer would be highly detrimental to the residents of Aden, as they would be cut off from their Indian connexion which has proved so far beneficial. The Colonial Government, it is feared, will not be able or willing to look after their welfare as can be expected from India in which they are represented in the legislatures. The salt protection duty of the Government of India has materially helped the salt industry to this place and which will automatically cease to exist immediately her connexion with India is severed. The bulk of the business is in the hands of Indians, to whose wants the Colonial Office cannot show the same sympathy as can be expected from the present Government. Postage and telegraph rates will also go up automatically. Expenditure it is feared will be doubled or even trebled by high paid English officers being imported direct, as is at present being done in British Somaliland, and to meet which customs and other duties will be levied, to the detriment of the trade of this port, which is already dwindling. It is also feared that landlords will be materially affected by the change, as different laws and regulations foreign to the citizens will be applied to Aden.

Further, this meeting strongly supports the various representations made by public bodies to the Government of India and the emphatic protests they had received from different quarters which now stand as good and strong as when they were made. The news has caused surprise to Arab and Indian merchants, who have played an important part towards the development of Aden ever since its conquest in 1839 and who have very large vested interests in Aden.

This meeting also reminds the Government of India of the assurances they gave in the Council of State and prays that the Governor-General will, in the interests of the Arab and Indian citizens of this port take up the same position his Government rightly took up a few years back when this question was raised, and the step fraught as it is with far-reaching consequences to the well-being of the inhabitants of this place will it is hoped not be allowed to be carried out without consulting the people most concerned and without giving the Indian Legislature an opportunity to examine it in all its bearings

This meeting requests that the Chief Commissioner of Aden will kindly impress upon the Imperial Government, as well as the Government of India, that the transfer will be highly detrimental to the interests of Aden.

Enclosure 2 in No. 6.

(Confidential.)

SIR, The Residency, Aden, 19th April, 1933.

Future of Aden.

I HAVE the honour to forward a translation of a letter which has been addressed to me by a number of the leading Arab residents in Aden on the subject of the possible transfer of the administration of Aden from the Government of India to the Colonial Office. This expression of their views is a direct result of the meeting held a few days ago under the auspices of Mr. Framroze Hormusjee Cowasjee Dinshaw, which was reported to you in my letter No. C/215 dated 18th April, 1933.

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2. In my opinion the letter represents the real opinion of intelligent members of the Arab community, which, as you are aware, forms the majority of the population of the Settlement of Aden. They regard with considerable apprehension the possibility of the inclusion of Aden in a self-governing Indian Federation, and the consequent prospect of an Indian domination over an Arab town. The Aden Arabs are extremely conservative, and they desire as little change as possible in the existing administration of the Settlement. This sentiment is expressed under the headings (1), (2), and (3) in their letter. Of these the first, namely, the continuance of Aden as a free port, is, in my opinion, vital to the prosperity of the place, which is based on its transit trade. I understand their heading (4) to refer to their desire that Government posts in Aden should, as far as possible, be filled by local recruitment.

I have, &c.,
B. R. REILLY,
Chief Commissioner.

The Secretary to the Government of India,
Foreign and Political Department, Simla.

(Translation.)

AFTER COMPLIMENTS, Aden, 18th April, 1933.

THERE are reports and rumours of the intending transfer of Aden to the Colonial Government. The Indians have held a meeting to protest against this transfer. As the majority of the people of Aden are Arabs to whom this question is more important than to any other community, we thought it better to express our opinion on it. We have no objection to the transfer of Aden to the Colonial Government if (1) the Port will remain free, *i.e.*, no tariff will be imposed on exports and imports; (2) if taxes in general will remain as they are if not reduced having regard to changed conditions: (3) if the laws and local rules will remain as they are unless it is considered necessary to alter some of them in the interest of the place; (4) the rights of the people remain as they are, if not improved upon; the people to have a prior right to Government posts and appointments, &c.

If this is not possible, Aden may form part of the "Reserved Area," *i.e.*, under the Governor-General of India.

We have confidence in our Governor, Colonel Reilly, as we consider him to be one of us. If he will remain for ever a Governor of Aden, we would accept any Government without reservations, but alas he will have to go one day from Aden.

32 signatories.

To H.E. Colonel Reilly, C.I.E., O.B.E.,
Chief Commissioner, Aden

Enclosure 3 in No. 6.

FROM SECRETARY OF STATE TO GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

(Dated 15th May, 1933.)

TELEGRAM.

(Secret.)

1196 ADEN. Reilly has shown me his letters to you of 18th and 19th April regarding representations from Indians and Arabs I understand that he fears that local agitation against transfer will grow unless the proposed safeguards are made known at an early date Inquiries as to future arrangements are also beginning to be made here, and if we are pressed in Parliament it may, before long, become difficult to withhold information of what is contemplated It seems preferable that first announcement should be made in India. Though I realize that natural occasion for this would be debate in Legislative Assembly, I am impressed by desirability of an early statement with a view to indicating assurances which His Majesty's Government are prepared to give in event of separation, and thus forestalling propaganda based on ignorance of these assurances. Would it be possible to take the opportunity of representations submitted to Reilly to make announcement, which could indicate that

full opportunity would be given for discussion in Legislature in due course, and that His Majesty's Government are prepared to give the assurances covered by my telegram of 25th March last, No. 798? Matter appears urgent for reason given by Reilly and because we may have Parliamentary questions in near future.

Addressed Government of India, No. 1196.

Repeated Aden, No. 1197.

17960/33 [No. 26].

No. 7.

INDIA OFFICE to COLONIAL OFFICE.

SIR, India Office, 17th May, 1933.

I AM directed by the Secretary of State for India to transmit to you, for the information of the Under-Secretary of State, Colonial Office, copy of a telegram from the Government of India, on the subject of future administration of Aden.

I am, &c.,
S. F. STEWART.

Reference to previous correspondence: Letter from the India Office of the 17th May, 1933.*

Copy also sent to Treasury.

Enclosure in No. 7.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 4.15 p.m., 16th May, 1933.)

TELEGRAM.

16TH MAY. 1236. Your telegram 798 of 25th March, and previous correspondence (? regarding) future of Aden.

2. As regards main question whether Aden should be removed from control of Government of India when latter becomes responsible to Indian electorate instead of to British Parliament, we feel that there is much to be said on both sides, and that we cannot commit ourselves to any opinion until discussions, to which we are pledged, have taken place in Legislative Assembly and we have heard and considered what Indian public opinion have (*sic* ? has) to say.

3. It was not possible during last session of the Assembly to allot special time for discussion of the question, and our expectation that it might be raised during debate on the White Paper was not fulfilled. Discussion must therefore be postponed until September session, but meanwhile we suggest it might be raised before Joint Select Committee in London. Indian "participators" are a very representative body and include several members of the Legislative Assembly, while, possibly for this purpose, members of the Legislatures sent for Reserve Bank and Railway Board discussions might be added. Select witnesses on behalf of Indian interests in Aden might also be called.

We would suggest that in such discussions Government spokesmen should take the line that, for reasons explained in paragraph No. 3 of your telegram, 9th March, 630, His Majesty's Government are considering the question of separating Aden from India on or before the date of federation, and are therefore anxious to elicit Indian opinion on the subject before making up their minds. The countervailing advantages and safeguards to accompany separation, as detailed in your telegram 798, should also be explained, in order that Indian opinion may appreciate that there are two sides of the question, even from the Indian point of view.

4. Our views on subsidiary question, as to when and how separation should be effected, cannot be formulated until discussions have taken place and main question is decided. We would, therefore, recommend that His Majesty's Government should, if they think it necessary, merely take power in Government of India Bill to separate Aden by Order in Council, as suggested in your telegram of 7th January, 57

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* No. 6.

17960/33 [No. 27].

No. 8.

INDIA OFFICE to COLONIAL OFFICE.

SIR, India Office, 23rd May, 1933.

I AM directed by the Secretary of State for India to transmit to you, for the information of the Under-Secretary of State, Colonial Office, copies of two telegrams from the Government of India, on the subject of future administration of Aden.

I am, &c.,
S. F. STEWART.

Reference to previous correspondence: Letter from the India Office of the 17th May, 1933.*

Copy also sent to Treasury.

Enclosure 1 in No. 8.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 8 p.m., 22nd May, 1933.)

TELEGRAM.

22ND MAY. 1288. Your telegram of the 15th instant, 1196. Future administration of Aden.

2. Please see our telegram of the 16th instant, 1236, giving our general (? views on the) question. As you will see, we have suggested discussion before Joint Select Committee as preliminary means of making known the attitude of His Majesty's Government. If, however, you feel that this is unlikely to give sufficient publicity, we should offer no objection to an announcement on the lines of that suggested in our immediately succeeding telegram. This announcement should, in our opinion, be made simultaneously in England, India, and Aden.

Enclosure 2 in No. 8.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 9.45 p.m., 22nd May, 1933.)

TELEGRAM.

22ND MAY. 1289. Our telegram 1288, 22nd May, Aden.

2. Following is proposed text of announcement:—

Begins:—His Majesty's Government have recently received representations from various communities amongst inhabitants of Aden, on the one hand protesting against and on the other, advocating transfer of administration from control of Government of India to His Majesty's Government. The matter is one which is now receiving consideration of His Majesty's Government and of the Government of India in connexion with impending constitutional changes. It is clear that no decision can be reached until Indian Legislature and other interests have had an opportunity of stating their views and those views have been considered. It is proposed to initiate discussions on subjects both before Joint Select Committee and subsequently at (? next) session of Indian Legislative Chambers. Meanwhile, His Majesty's Government think that it would be convenient that considerations which suggest desirability of a transfer of administration and conditions that would be entailed by such a transfer, should be made known, so that problem can be discussed with full knowledge of the facts.

The reasons which suggest that Aden should not remain linked with India under the new Constitution are, that it is an area geographically remote from India; that it would not naturally fit into the new federation; that it is already to some extent under Imperial control, and that it is inseparable in practice from Aden Protectorate, which has already passed wholly out of India control If

* No. 6.

it should be decided that the administration of Aden should be separated from that of India, His Majesty's Government contemplate that the following conditions would be established: (1) India would be relieved of annual contribution approximately £150,000 sterling, or Rs.20 lakhs, at present payable towards military and political administration.

(2) The right of appeal in judicial cases to the Bombay High Court would be maintained if this arrangement were found to be administratively and legally possible.

(3) His Majesty's Government would maintain existing policy of making Aden a free port unless some radical change in present economic situation should take place. The prosperity of Aden depends largely on its transhipment trade, so that abandonment of policy of a free port would obviously be against its financial interests.

(4) His Majesty's Government would do their utmost to maintain present standard of administration and would not impose any additional taxation unless such a course became, in their opinion, absolutely necessary.

(5) A proportion of Indian service administrative personnel would be retained in Aden service for some years after transfer took place.

(6) No racial legislation or segregation would be permitted by His Majesty's Government.

17960/33 [No. 28].

No. 9.

INDIA OFFICE to COLONIAL OFFICE.

India Office, Whitehall, London, S.W.1,
30th May, 1933.

SIR,

I AM directed by the Secretary of State for India to refer to the telegraphic correspondence with the Government of India (ending with their telegram of 22nd May, copy of which was forwarded to the Colonial Office under India Office letter of 23rd May,* relative to the question of the separation of Aden from India, and the proposal to make an announcement of the assurances which His Majesty's Government are prepared to give in the event of separation taking place.

2. The object of the proposed announcement is to prevent the growth at Aden and in India of agitation against transfer. Colonel Reilly, the Chief Commissioner, who is now on leave in this country, fears that, unless an announcement is shortly made, propaganda against transfer may make great headway at Aden, and may gain many adherents among the Arab population, as well as among Indians, as a result of ignorance of the conditions of transfer to which His Majesty's Government are prepared to agree.

3. Subject to the views of Secretary Sir Philip Cunliffe-Lister, Secretary Sir Samuel Hoare would propose to authorize an announcement in the terms set out in the Government of India's telegram, No. 1289, subject to the alterations which he has suggested to them in the telegram of which copy is enclosed.

I am, &c.,
J. C. WALTON.

Enclosure in No. 9.

CYPHER TELEGRAM FROM SECRETARY OF STATE TO GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, DATED 29TH MAY, 1933.

1344. YOUR telegrams 16th May, No. 1236 and 22nd May, Nos. 1288 and 1289. Future of Aden. I feel it would be undesirable for His Majesty's Government to raise separation of Aden as an issue before the Committee. It may be raised by Indian delegates after announcement and Committee may discuss it. But it is probable that it would decline to hear special evidence on the subject.

2. I appreciate Government of India's inability to commit themselves to any opinion until matter is discussed in Legislative Assembly and public opinion elicited.

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* No. 8.

3. In the meantime, however, I agree that an announcement should be made simultaneously at Aden, in India, and in this country on the lines of your telegram 1289. I propose to make it here in answer to a question in Parliament and do not wish to be apologetic about it. I am consulting Colonial Office and Treasury as to proposed text, and will then telegraph further. Meanwhile please telegraph whether you agree to the following alterations (1) in first sentence substitute "deprecating" for "protecting against"; (2) substitute the following for the third and fourth sentences from "It is clear that" to "Chambers." *Begins*:—Full opportunity will be given for discussion in the Indian Legislative Chambers at their next session and for all the interests concerned to state their views.—*Ends*. I am assuming that you have good grounds for saying that representations have been received advocating transfer.

17968/33 [No. 4].

No. 10.

SECRETARY OF STATE FOR INDIA

to

GOVERNMENT OF INDIA, HOME DEPARTMENT.

(Dated 15th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 19th June, 1933.)

1486. YOUR express letter dated 3rd April, 112/F. 670/32—Judl.* Aden Civil and Criminal Justice Regulation. I approve action proposed.

17960/33 [No. 36C].

No. 11.

SECRETARY OF STATE to GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, REPEATED TO RESIDENT, ADEN, No. 1491

(Dated 15th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 19th June, 1933.)

[*Answered by No.* 15.]

(Secret.)

No. 1490 YOUR telegram dated 12th June, 1451. Aden announcement. I agree to your further amendment.

2. After discussion with Reilly, and with concurrence of Colonial Office and Treasury, I now suggest that, with a view to making announcement more palatable in India last words of condition (2) should be omitted and second sentence of condition (3) altered as shown in full text of announcement given in my immediately succeeding telegram which is being repeated to Aden.

3. If you agree to these amendments, please let me know by immediate telegram before Monday if possible, as I should like to make announcement in answer to question in Parliament on 19th June, and suggest that it should be issued in India and at Aden for the newspapers of morning of 20th June. If you agree, please instruct Aden accordingly.

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* Enclosure in No. 3.

17960/33 [No. 36A].

No. 12.

SECRETARY OF STATE to GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, REPEATED TO RESIDENT, ADEN, No. 1493.

(Dated 15th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 19th June, 1933.)

1492. FOLLOWING is text of announcement for issue in India and at Aden to newspapers of morning of Tuesday, 20th June :—

Begins :—His Majesty's Government have recently received representations from different communities among the inhabitants of Aden as well as from certain quarters in India expressing their various views in regard to the transfer of the administration of Aden from the control of the Government of India to His Majesty's Government. The matter is one which is now receiving the consideration of His Majesty's Government and of the Government of India in connexion with the impending constitutional changes. Full opportunity will be given for discussion in the Indian Legislative Chambers at their next session and for all the interests concerned to state their views. Meanwhile, His Majesty's Government think that it would be convenient that the considerations which suggest the desirability of a transfer of the administration and the conditions that would be entailed by such a transfer should be made known, so that the problem can be discussed with a full knowledge of the facts.

The reasons which suggest that Aden should not remain linked with India under the new Constitution are, that it is an area geographically remote from India: that it would not naturally fit into the new federation: that it is already to some extent under Imperial control, and that it is inseparable in practice from the Aden Protectorate, which has already passed wholly out of Indian control. If it should be decided that the administration of Aden should be separated from that of India, His Majesty's Government contemplate that the following conditions would be established :—

(1) India would be relieved of the annual contribution, approximately £150,000 sterling, or Rs. 20 lakhs, at present payable towards the military and political administration.

(2) The right of appeal in judicial cases to the Bombay High Court would be maintained.

(3) His Majesty's Government would maintain the existing policy of making Aden a free port unless some radical change in the present economic situation should take place. From their own point of view the abandonment of this policy would clearly in existing economic conditions be financially unsound, since the prosperity of Aden depends largely on its transit trade.

(4) His Majesty's Government would do their utmost to maintain the present standard of administration and would not impose any additional taxation unless such a course became, in their opinion, absolutely necessary.

(5) A proportion of Indian service administrative personnel would be retained in Aden service for some years after transfer took place.

(6) No racial legislation or segregation would be permitted by His Majesty's Government.—*Ends.*

17960/33 [No. 36].

No. 13.

SECRETARY OF STATE to CHIEF COMMISSIONER, ADEN, No. 1496, REPEATED TO GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, No. 1497.

(Dated 15th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 19th June, 1933.)

1496. COMMUNIQUÉ, text of which is given in my telegram No. 1493*, has been arranged in consultation with Government of India and with Colonial Office and Treasury

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* No. 12.

here and Reilly. Reilly had suggested that a preliminary announcement of this character would be desirable, with a view to indicating assurances which His Majesty's Government are prepared to give in the event of separation, and thus forestalling propaganda based on ignorance of these assurances. He feared that unless such announcement were made soon such propaganda against transfer might gain great headway and win adherents among Arab population as well as Indians. Communique should be issued for press on 20th June if you hear before 19th June from Government of India that they agree and unless you hear from me postponing date of announcement.

17960/33 [No. 36B].

No. 14.

SECRETARY OF STATE to GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, REPEATED TO RESIDENT, ADEN, No. 1499.

(Dated 15th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 19th June, 1933.)

(Secret.)

No. 1498. My telegram No. 1490* giving text of Aden announcement. His Majesty's Government would be glad if Chief Commissioner, during interval between announcement and debate in Indian Legislature, would keep a careful watch on development of public opinion at Aden and report fully from time to time how it is shaping and what real weight is to be attached to all expressions of opinion by the various parties and communities interested.

2. Since the interests of the large Arab community may be profoundly affected by the decision as to future arrangements which is shortly to be taken, it seems essential that an effective statement of Arab opinion as free as possible from misleading propaganda should be forthcoming. His Majesty's Government would suggest therefore that Chief Commissioner should take such steps as he deems most suitable to elicit genuine opinion of Arab community and their leaders, since Reilly fears that if left to themselves Arab population may be diffident about offering any opinion on the question of transfer.

3. If you agree, could you please instruct Chief Commissioner accordingly.

17960/33 [No. 37A].

No. 15.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, to SECRETARY OF STATE FOR INDIA.

(Received 11.10 a.m., 17th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 20th June, 1933.)

(Secret.)

1488. 17TH JUNE. Addressed to Secretary of State for India and repeated to Aden.

Your telegram of the 15th instant, 1490.*

We agree to text of Aden announcement given in your telegram 1492,† and also to its publication in India and Aden in newspapers on morning of 20th June.

2. We also agree to action by Chief Commissioner during interval between announcement and debate in Indian Legislature, as proposed in your telegram of the 15th instant, 1498.‡

3. Aden is being instructed accordingly.

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* No. 11. † No. 12. ‡ No. 14.

17960/33 [No. 37B].

No. 16.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, to SECRETARY OF STATE FOR INDIA, REPEATING TELEGRAM ADDRESSED TO ADEN

(Received 10.55 a.m., 17th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 20th June, 1933.)

(Secret.)

17TH JUNE. 1489. Addressed to Aden, sent to Secretary of State for India. Please see telegram dated 17th June, 1488.* to Secretary of State, repeated to you. Aden announcement and subsequent action to be taken by you. Please act accordingly.

17960/33 [No. 37].

No. 17.

SECRETARY OF STATE to CHIEF COMMISSIONER, ADEN, ADDRESSED ADEN No. 1521, REPEATED GOVERNMENT OF INDIA, FOREIGN AND POLITICAL No. 1522.

(Dated 17th June, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 20th June, 1933.)

(Secret.)

No. 1521. YOUR telegram dated 16th June, 27.

Text of announcement given in my telegram dated 15th June to Government of India No. 1492† was sent in non-secret Cypher, and should therefore be published on 20th June (see Government of India telegram to you of 17th June No. 1488*) as received and unparaphrased.

17960/33 [No. 41].

No. 18.

THE ADEN GAZETTE EXTRAORDINARY.

Published by Authority.

Tuesday, 20th June, 1933.

COMMUNIQUE.

Aden, 20th June, 1933.

HIS MAJESTY'S Government have recently received representations from different communities among inhabitants of Aden as well as from certain quarters in India expressing their various views in regard to the transfer of the administration of Aden from the control of the Government of India to His Majesty's Government. The matter is one which is now receiving the consideration of His Majesty's Government and of the Government of India in connexion with impending constitutional changes. Full opportunity will be given for discussion in Indian Legislative Chambers at their next session and for all interests concerned to state their views. Meantime His Majesty's Government think that it would be convenient that the considerations which suggest the desirability of a transfer of administration and conditions that would be entailed by such a transfer should be made known so that the problem can be discussed with full knowledge of the facts. The reasons which suggest that Aden should not remain linked with India under the new Constitution are that it is an area geographically remote from India that it would not naturally fit into the new federation; that it is already to some extent under Imperial control and that it is inseparable in practice from the Aden Protectorate which has already passed wholly out of Indian

* No. 15. † No. 12.

control. If it should be decided that the administration of Aden should be separated from that of India, His Majesty's Government contemplate that the following conditions would be established:—

(1) India would be relieved of the annual contribution of approximately £150,000 sterling or Rs.20 lakhs at present payable towards the military and political administration.

(2) The right of appeal in judicial cases to the Bombay High Court would be maintained.

(3) His Majesty's Government would maintain the existing policy of making Aden a free port unless some radical change in the present economic situation should take place. From their own point of view abandonment of this policy would clearly, in existing economic conditions, be financially unsound since the prosperity of Aden depends largely on its transit trade.

(4) His Majesty's Government would do their utmost to maintain the present standard of administration and would not impose any additional taxation unless such a course became in their opinion absolutely necessary.

(5) A proportion of Indian Service Administrative personnel would be retained in the Aden Service for some years after the transfer took place.

(6) No racial legislation or segregation would be permitted by His Majesty's Government.

By Order of the Chief Commissioner.
H. G. RIVETT-CARNAC,
Civil Secretary.

17960/33 [No. 42].

No. 19.

THE ACTING RESIDENT to THE SECRETARY OF STATE.

(Received 31st July, 1933.)

(Secret.)
(No. 171.)

SIR, The Residency, Aden, 19th July, 1933.

I HAVE the honour to forward herewith, for your information, a copy of a despatch No. C/403, dated the 15th July, 1933, that I have addressed to the Government of India on the subject of the proposed transfer of the Administration of Aden to the control of His Majesty's Government.

I have, &c.,
R. S. CHAMPION,
Acting Resident, &c.

Enclosure in No. 19.

(Secret.)
(No. C. 403.)

SIR, The Residency, Aden, 15th July, 1933.

I HAVE the honour to refer to your telegram No. 1489 of the 17th June, 1933, on the subject of the proposed transfer of the Administration of Aden to the control of His Majesty's Government.

2. During the past week, a sufficient time having elapsed since the publication of the Announcement on the 20th June, 1933, I have invited the opinions of thirteen leading and influential Arabs on this matter, in a series of private and informal interviews. My informants were especially selected as representative of religious (Moslem), commercial (wholesale, retail, and transit trade), and real estate interests in Aden; and they are well qualified to voice the genuine opinion of all classes of the Arab community, owing both to their own comparatively enlightened understanding of the issues involved and to their influence over and acquaintance with the less intelligent attitude of the lower orders.

3. The impression that I have received from these frank and friendly conversations is that the Arab community in Aden as a whole are satisfied and content under the existing political and administrative conditions, but that they view with grave misgiving the possibility of "Indianization" of the government of Aden consequent upon constitutional changes in India. Representing an overwhelming racial majority in territory that is geographically and historically an integral part of Arabia, they fear the subordination of Arab and Indian interests, and they forsee an increase in the commercial domination of Indian firms in Aden, if the Settlement is to remain under the control of an increasingly self-governing India.

4. On the other hand, while they are acquiescent in the prospect of transfer and reliant on the honesty of the intentions and purposes of His Majesty's Government, they are characteristically apprehensive of change, and are not confident that that which is now contemplated will be to their social or material advantage. As one of my visitors expressed himself—" We are warm in this fire. Shall we perhaps be burned in another? "

5. The following particular points have emerged in the course of my conversations in regard to the Announcement :—

Condition 1.—There is a " bazaar rumour " widely believed among uneducated Arabs, that the annual contribution of Rs.20 lakhs of which India would be relieved, will be borne by Aden. Enlightened classes are not free from this suspicion, and it has been suggested to me that this misapprehension should be removed by the issue of a further and clearer Announcement in this regard.

Conditions 3 *and* 4.—While intelligent opinion understands that His Majesty's Government would be unable, at the present, or perhaps at any, juncture, to bind themselves unconditionally to the maintenance of the existing fiscal policy in Aden, there is general disappointment that a more definite statement has not been made on these issues.

Miscellaneous.—Religious circles profess to be preoccupied with the need for the administration of the Sher'ia Law in Aden according to the Shafe'i doctrine, which is followed by practically all the Arab Moslem community. It appears, however, that Arab opinion generally is satisfied with Indian Law in that respect which follows the Hanafi doctrine; and I think that the contention of the 'Ulema represents a pious hope for the future, rather than an argument for or against transfer.

6. The publication of the Announcement has had the desired effect of crystallizing the issues at stake, and has tended to confine controversy to the conditions with which it dealt; and while it has not prevented the exchange of irresponsible rumours in the bazaars, there is no evidence that these rumours have their source in propaganda directed by (Indian commercial) circles which are still uncompromisingly hostile to transfer.

7. The sense of this appreciation has been generally confirmed by official and unofficial observers whom I have consulted in the matter, and whose activities bring them into close touch with the Arab community in Aden. The situation will continue to be closely watched, and developments will be reported to you from time to time.

8. I have addressed copies of this despatch to the Secretaries of State for India and for the Colonies.

I have, &c.,
R. S. CHAMPION.
Chief Commissioner.

The Secretary to the Government of India.
Foreign and Political Department, Simla.

17960/33 [No. 44].

No. 20.

MR. J. G. LAITHWAITE (INDIA OFFICE)

to

MR. H. R. COWELL (COLONIAL OFFICE).

MY DEAR COWELL, India Office, Whitehall, S.W.1, 12th August, 1933.

I ENCLOSE, in accordance with his request, copy of a letter from Reilly which is self-explanatory, and of the answer I have sent to him. If it was convenient for you, do you not think that it might be rather a good thing to have a talk on Tuesday afternoon, as suggested, in which we could run rapidly through the points he has raised in his letter of 10th August?

Yours, &c.,
J. G. LAITHWAITE.

Enclosure 1 in No. 20.

DEAR LAITHWAITE. Summerset, Lymington, Hants, 10th August, 1933.

IN conversation in London some weeks ago it was suggested that I should enumerate some of the points that will require consideration if Aden is separated from India. Those that occur to me are :—

1. *Income tax from firms doing business at Aden which at present is collected by the Government of India elsewhere than at Aden, e.g., Calcutta or Bombay.*—There

are many such cases, the most important probably being the Anglo-Persian Oil Company, which does a very large business at Aden, but whose income tax is paid, not at Aden, but at Calcutta. In the event of separation it (and other firms in the same position) ought to pay in respect of its Aden business to the new Aden Government.

2. *Post Office and Telephone receipts and expenditure.*—These are now dealt with in India, and we do not know at Aden whether these services are run at a profit or at a loss, I hope the former, in which case the profit should accrue to the new Aden Government.

3. *Printing and sale of stamps.*—If Aden becomes a Crown Colony it will presumably have its own stamps, and the cost of printing them and the proceeds from their sale will be items in the new Aden budget.

4. *Mail contract.*—The mail steamers between England and India must at present call at Aden under the terms of their contract with the Government of India. If Aden is separated from India an arrangement for its mail service will presumably be made by the Imperial Government.

5. *Currency.*—In view of the close business connexion between Aden and India it will be convenient if Aden continues to use Indian currency, and an agreement for the supply of currency can, I suppose, be made with the Government of India.

6. *Treasury and Finance.*—If Aden becomes a Crown Colony it will have its separate financial arrangements and separate budget, and this will probably necessitate the strengthening of its financial staff by the appointment of a Treasurer, who might also control the income tax and Salt and Excise Departments. This is a matter which will require careful consideration by the new administration. I should be strongly opposed to the appointment of any new officials who are not absolutely necessary, and the new organization ought to be carried out as economically as possible.

7. *Audit.*—Aden accounts are now audited by the Accountant-General, Bombay; and new arrangements for audit will have to be made. This may involve the appointment of a local Auditor, or alternatively, the Home Treasury may be able to undertake the audit. Here again the need for economy as well as efficiency ought to be borne in mind.

8. *New Laws and Enactments.*—In my opinion all existing (Indian) laws and enactments ought to remain in force, and the Indian Civil and Criminal Codes and Procedure ought to be retained. But it will be necessary from time to time to make new laws, enactments, and regulations and to modify old ones. Such changes will probably be infrequent, and I hope that it will not be necessary to appoint a new official for the purpose of drawing them up. But the method and machinery for doing so must be considered.

9. *Local Bodies.*—These are the Aden Port Trusts (constituted under a Government of Bombay Act of 1888) and the Aden Settlement, which deals with municipal matters under the control of the Chief Commissioner. Each of these bodies has its own revenue and expenditure, and in my opinion they should continue their separate existence as at present, and should not be merged into the new local administration.

10. *Lighthouses.*—There are four in the territory to be included in the new Colony—two at Aden and two at Perim. The two at Aden are managed by the Aden Port Trust, but the Government of India pay for half the upkeep of one of them. The two at Perim are maintained by the Government of India, to whom lighthouse dues are paid. If Aden is separated from India the responsibility and expenditure of the Government of India will presumably be undertaken by the Imperial Government, perhaps with a contribution from the Government of India, as the lights are largely used by ships engaged in Indian trade. It would not be right to make Aden bear these charges unless it receives lighthouse dues sufficient to cover them, and the imposition of dues at Aden ought to be avoided as much as possible, as it tends to drive shipping away to the rival French and Italian ports in the neighbourhood.

11. *Ecclesiastical.*—Aden at present forms part of the diocese of Bombay, and is served by chaplains of the Indian Ecclesiastical Establishment. I think this arrangement ought to be allowed to continue, at any rate for a time.

12. *Lunatic Asylum.*—There is none at Aden, and lunatics are now sent to India. There are too few of them to justify the establishment of a local asylum, and it would be convenient if the Government of India would permit the existing practice to continue, in return, presumably, for a small agreed payment by the new Aden administration.

13. *Rate of Income Tax.*—I consider that the Indian rates of income tax ought to be continued, and that they ought to apply to officials employed at Aden as well as to the general public, these officials paying their tax to the Aden administration, and not to the British Treasury.

If I had a typewriter with me I should send a copy of this letter to Cowell, as the Colonial Office will be concerned with some of the points I have mentioned as much as, or even more than, the India Office. If you are taking up these questions with the Colonial Office perhaps you will send him a copy. In that case I shall be very grateful if you can send a copy to me also for reference.

I expect to be in London for a day or two this month, and for about a fortnight next month, and I return to Aden in October. I can call on you when I am in London if you would like to discuss these matters with me.

Yours, &c.,
B. R. REILLY.

Enclosure 2 in No. 20.

DEAR REILLY, India Office, Whitehall, S.W.1, 12th August, 1933.

MANY thanks for your letter of 10th August and the very valuable list of points for consideration in connexion with the separation of Aden. I have had copies made, one of which I now enclose, and am sending one to Cowell, as you asked me to. I have also given one to Walton.

We hope to see you at the Middle East Sub-Committee on Tuesday morning to discuss relations with the Imam. Would it be convenient for you to have a talk on the other points dealt with in your letter of 10th August on Tuesday afternoon with Cowell, Walton, and myself at any time that would suit you? If so, we might have a preliminary discussion then.

Yours, &c.,
J. G. LAITHWAITE.

Lieutenant-Colonel B. R. Reilly, C.I.E., O.B.E.,
Summerset,
Lymington,
Hants.

17960/33 [No. 45].

No. 21.

MR. J. G. LAITHWAITE (INDIA OFFICE)

to

MR. H. R. COWELL (COLONIAL OFFICE).

[*Answered by* No. 24.]

MY DEAR COWELL, India Office, Whitehall, S.W.1, 14th August, 1933.

AS you will have seen from paragraph 5 of Champion's despatch of 15th July, No. C. 403,* to the Government of India, the rumour appears to have gained ground in Aden that the annual contribution of Rs. 20 lakhs of which India would be relieved in the event of separation would in future be borne by Aden. We think it important to scotch this as soon as possible and suggest that, if you and the Treasury see no objection, Champion and the Government of India might be authorized to issue a *démenti* to the effect that the annual contribution of Rs. 20 lakhs of which India would be relieved would in future be borne by Imperial revenues, and that no additional charge would be imposed on the revenues of Aden. Will you be so kind as to let me know if you agree.

I enclose copy of a letter I am sending to Grieve.

Yours, &c.,
J. G. LAITHWAITE.

Enclosure in No. 21.

MY DEAR GRIEVE, India Office, Whitehall, S.W.1, 14th August, 1933.

I ENCLOSE a copy of a despatch from Champion at Aden on the subject of the proposed transfer of Aden to His Majesty's Government, together with a copy of a letter to Cowell. They are, I think, self-explanatory. Would you be so kind as to let

* Enclosure in No. 19.

me know whether the Treasury would see any objection to a *démenti* on the lines suggested in my letter to Cowell.

Yours, &c.,
J. G. LAITHWAITE.

R. A. Grieve, Esq., O.B.E.,
Treasury, S.W.1.

17960/33 [No. 55].

No. 22.

NOTE OF A DISCUSSION HELD AT THE INDIA OFFICE ON 15TH AUGUST, 1933, BETWEEN LIEUTENANT-COLONEL B. R. REILLY (RESIDENT, ADEN), MR. H. R. COWELL (COLONIAL OFFICE), AND MR. J. C. WALTON AND MR. J. G. LAITHWAITE (INDIA OFFICE).

*(The references in the Note below are to the points raised in Colonel Reilly's demi-official letter of 10th August, 1933.**

COLONEL Reilly's demi-official letter of 10th August, 1933, was discussed at the India Office on 15th August. In addition to Colonel Reilly there were present Mr. Cowell of the Colonial Office, Mr. Walton and Mr. Laithwaite of the India Office.

Point 1. *Income-Tax arrangements in the Event of Separation.*—MR. COWELL said that Crown Colonies as a rule were responsible for their own income-tax arrangements and fixed their own rate of income-tax. There would probably be much to be said for fixing (under a special Aden Ordinance, to be made by the new Aden Crown Colony Government) the present Indian rate of income-tax as the rate in future to prevail in Aden. COLONEL REILLY emphasized that if and so long as Aden was to continue to draw staff from India the question of income-tax would be one of real importance. So far as budgetting was concerned it would be important to reach an understanding well in advance of actual separation as to whether firms such as the Anglo-Petroleum Oil Company, the shipping companies and the salt interests, which did a large business in Aden, but whose income-tax was at present paid not at Aden but at Calcutta or elsewhere in India, should pay in respect of their Aden business to the new Aden Government. It was agreed that this point should be taken up.

2. *Post Office and Telephone Receipts and Expenditure.*—It was agreed that the Government of India should be asked to indicate, if possible, to what extent these services were at present run at a profit or at a loss, with a view to the necessary information being available in connexion with the framing of the Aden budget.

3. *Printing and Sale of Stamps.*—MR. COWELL agreed that if and when Aden was established as a Crown Colony it would issue its own stamps and that the cost of their printing and the proceeds from their sale would be items in the new Aden budget.

4. *Mail Contract.*—It was agreed that the India Office should ascertain whether Colonel Reilly's statement that under the terms of their contract with the Government of India the mail steamers between England and India must at present call at Aden was correct. It was also generally agreed that the simplest course would be to allow existing arrangements, if the Government of India agree, to remain unchanged, at any rate for the balance of the period of the Government of India's present mail contract.

5. *Currency.*—It was agreed that, at any rate for the time being, much the best arrangement would be that, if no objection was seen by the Government of India, Aden should continue to use Indian currency, arrangements for the supply of the necessary currency being made with the Government of India. MR. COWELL mentioned that in Mauritius for a very long period Indian currency had remained current, and that precedents were not lacking for action on the lines suggested.

6. *Treasury and Finance.*—MR. COWELL indicated that if Aden became a Crown Colony the colonial administration would be responsible for the annual preparation and submission of a budget. COLONEL REILLY stated that the financial staff was not at the moment very strong and that what he had in mind was that on the separation of Aden a gazetted officer should be appointed as Treasurer. He should also be in charge of the Income-tax and Salt and Excise Departments. He was opposed to placing any heavier burden on the finances of the new colony than could be avoided, but

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part, at any rate, of the expenses of the official in question might be met by the suppression of existing posts whose duties would in future be performed by him. Thus, it might be possible to abolish the existing Income-tax officer.

MR. COWELL said that he saw no difficulty in providing an official of the necessary status from the Colonial Service. The type of man wanted would probably be a good Assistant Treasurer in a large colony who would in the ordinary course be able to hope for appointment as Treasurer in a large colony. He would inquire of the Personnel Division of the Colonial Office as to the probable rate of pay it would be necessary to offer. COLONEL REILLY emphasized that it was important to select for this post a man of experience and some strength of character, who could assist the Resident in rejecting doubtful demands from units of the Aden administration.

7. *Audit.*—MR. COWELL stated that it would be possible, without any difficulty, to place the Aden accounts under the Director of Colonial Audit, who would send over once or twice a year an auditor, perhaps from East Africa. (At present Somaliland and the Seychelles are run jointly for this purpose.) A contribution to his salary would probably have to be made from Aden. It would be unnecessary to appoint a special local auditor, though a local audit clerk would probably be necessary.

8. *New Laws and Enactments.*—There was general agreement as to the desirability of retaining in force all existing Indian laws and enactments, including the Indian Civil and Criminal Codes and Procedure. There was also general agreement as to the desirability of some elasticity. While changes would probably be infrequent it was important that it should be possible to make them if and when occasion arose without, *e.g.*, the necessity of passing an Act of Parliament or the like. It was thought that the simplest course would be to provide in the initial Act of Parliament or Order in Council that all laws, &c., already in force in Aden should continue in force until otherwise provided: and to give the Governor power, with the consent of the Crown, to enact laws. The concurrent power of the Crown to legislate by Order in Council would be retained, in accordance with the usual practice in Crown Colonies. Mr. Cowell mentioned that in certain Colonies and Protectorates, *e.g.*, St. Helena, Gibraltar, and Somaliland, the Governor, who had no legislature, made his own laws, the simplest thing would be that if there was no urgency in regard to any law or enactment the Resident should ask the Colonial Office for advice on drafts prepared with the assistance of the Judicial Assistant at Aden. In cases of real urgency or emergency he would have to do the best he could, leaving any errors or loopholes to be remedied later.

9. *Local Bodies.*—It was agreed that the Aden Port Trust and the Aden Settlement should continue their separate existence and should not be merged in the new local administration.

10. *Lighthouses.*—The Colonial Office undertook to take up the question of the future arrangements in connexion with lighthouses with the Board of Trade. The simplest arrangement would probably be that the Board of Trade should take them over, possibly with a contribution, as suggested by the Resident, from the Government of India. THE RESIDENT emphasized that from the point of view of maintaining the attractiveness of Aden as a port, it was most important that the light dues should not at any rate be raised above the level at present charged by the Government of India. The result of any increase might well be to drive traffic to Jibouti or elsewhere.

11. *Ecclesiastical.*—It was agreed that the possibility of allowing Aden to remain part of the Diocese of Bombay and to be served by Chaplains of the Indian Ecclesiastical Department should be investigated by the India Office, if necessary with the Government of India; and that unless any serious objection proved to exist, this would be the most satisfactory course.

12. *Lunatic Asylum.*—It was agreed that the best course would be, if the Government of India saw no objection, to permit the existing practice of sending lunatics from Aden to India to continue, possibly for a small agreed payment per head by the new Aden administration.

13. *Rate of Income-tax.*—This was covered by the note under head (1) above. The Colonial Office indicated that if and when the salaries of officials at Aden were paid from revenue raised in Aden (including any general grant-in-aid from the Treasury) there would be no question of any application of British income-tax to officials. So long, however, as the Treasury provided any individual salaries, those salaries would be liable to British income-tax. It would be desirable, therefore, to arrange the estimates initially so that the salaries of the Residents and all other officials were borne on Aden revenues.

14. COLONEL REILLY, in addition, raised the question of the future of the Government buildings, &c., at Aden. He suggested that the most satisfactory course would be that they should be transferred free as they stood to the Imperial Government, on the analogy of the military buildings.

17960/33 [No 46].

No. 23.

MR. R. A. GRIEVE (TREASURY)

to

MR. H. R. COWELL (COLONIAL OFFICE).

Treasury Chambers,
Whitehall, S.W.1, 17th August, 1933.

MY DEAR COWELL,

I ENCLOSE copy of a letter which I am sending to Laithwaite on the subject of Aden.

Yours, &c.,
R. A. GRIEVE.

Enclosure in No. 23.

17th August, 1933.

MY DEAR LAITHWAITE,

THIS is in reply to your letter of the 14th instant, on the subject of the proposed transfer of Aden to His Majesty's Government.

We agree that it is desirable to scotch the rumour which appears to be current in Aden that the annual contribution of Rs. 20 lakhs (£150,000) of which India would be relieved in the event of separation, would in future be borne by Aden. We have no objection, therefore, to your authorizing the Government of India to issue a statement to the effect that the annual contribution of Rs. 20 lakhs would in future be borne by Imperial revenues, and that no additional charge on this account would be imposed on the revenues of Aden.

As regards the possibility of increased taxation in Aden in future, the Secretary of State has, of course, stated in his announcement in the House of Commons on 19th June, 1933, that His Majesty's Government would not impose any additional taxation unless such a course became in their opinion absolutely necessary.

I am sending a copy of this letter to Cowell.

Yours, &c.,
R. A. GRIEVE.

J. G. Laithwaite, Esq.,
India Office.

17960/33 [No. 47].

No. 24.

MR. H. R. COWELL (COLONIAL OFFICE)

to

MR. J. G. LAITHWAITE (INDIA OFFICE).

Downing Street, S.W.1, 19th August, 1933.

DEAR LAITHWAITE,

WITH reference to your letter of the 14th of August,* about the Aden rumour on the subject of the annual contribution of Rs. 20 lakhs, in view of Grieve's letter to you of the 17th August,† we agree that Champion and the Government of India might be authorized to issue a *démenti* to the effect that the annual contribution of Rs. 20 lakhs would in future be borne by Imperial revenues and that no additional charge on this account would be imposed on the revenues of Aden.

I am sending a copy of this letter to Grieve.

Yours, &c.,
H. R. COWELL.

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* No. 21. † Enclosure in No. 23

17960/33 [No. 51].

No. 25.

SECRETARY OF STATE FOR INDIA

to

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

(Sent 23rd August, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 26th August, 1933.)

[*Answered by* No. 27.]

No. 2095. ADDRESSED Government of India No. 2095, Repeated Chief Commissioner, Aden No. 2096.

Aden. Champion's reference to condition (1) in his despatch of 15th July, C. 403.* From your letter of 18th July to Government of Bombay, F. 10-N/33,† I understand you are arranging for discussion in legislature in forthcoming session. His Majesty's Government would be glad if you would state, either in debate or by pre-arranged question in Assembly to which publicity could be given at Aden, that the annual contribution of 20 lakhs would be borne by Imjerial revenues in the event of separation, and that no additional charge on this account would be imposed on revenues of Aden.

2. I shall be interested to know what attitude you propose to adopt in apparently not improbable event of position of Aden salt interests being pressed and to receive early report of general trend of discussion.

17960/33 [No. 52].

No. 26.

MINUTES REGARDING THE APPOINTMENT OF A TREASURER.

IN connexion with the contemplated transfer of Aden to the Colonial Office we have discussed with the Resident the question of the appointment of a Treasurer. Under existing circumstances there is no Treasury officer of standing in Aden, since the accounts are kept in India and there are only sub-accountants in Aden. It will be necessary in the future to have a Treasury officer of experience who will be in a position to advise the Resident on financial questions. It is, of course, too early yet to consider details of the appointment, but for the purposes of estimating the cost of administration the Resident would be glad to know, roughly, what salary would be required to obtain an officer from elsewhere in our service for the appointment of Treasurer in Aden. According to the Colonial Office list the annual expenditure of the Settlement is in the neighbourhood of £90,000.

H. R. COWELL,
16th May, 1933.

The annual expenditure is, roughly, equivalent to that of St. Lucia where, after some argument with the Treasury, the salary of Treasurer has been fixed at £500-£550. But the Windwards must be a much more attractive place to live in than is Aden, and I suppose very much less expensive.

Much must depend upon the general conditions of the appointment, but I should say that a salary of not less than £700 would be necessary. The third man in the Cyprus Treasury, the Chief Accountant, H. C. Ley, is on £400-£600; the third man in Palestine on £550-£750; and the junior Assistant Treasurer on £300-£550. In Somaliland the Treasurer draws £800, and the Assistant Treasurer is on a scale rising to £700. In Seychelles the Treasurer's salary is Rs. 7,450+Rs. 1,000+Rs. 500 for quarters. The expenditure of these Dependencies is much larger, but, particularly if, as it would seem from the attached particulars, salary is likely to be liable to United Kingdom income-tax,‡ I don't think we could find a man for less than £700 (without quarters).

Possible candidates would be:—

H. C. Ley, Chief Accountant, Treasury Department, Cyprus;
K. C. Jacobs, Accountant, Forestry Department, Cyprus;

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* Enclosure in No. 19. † Enclosure in 17960/33 [No. 19]: not printed

‡ No. I hope not.—H. R. C.

H. A. B. Bentley, Accountant, Treasury and Customs, Gilberts;
M. Brown, Clerk, Agricultural Department, Palestine;
N. J. Davis, Assistant Treasurer, Palestine.

S. ROBINSON,
28th August, 1933.
A. B. ACHESON,
28th August, 1933.

Mr. Robinson,

I contemplate that the salary will be paid from Aden funds, and will not be liable to United Kingdom income-tax, but only to local income-tax at the rate now current in India. In the circumstances, could we provisionally suggest a salary of £600 to £700?

H. R. COWELL,
29th August, 1933.

I think so.

S. ROBINSON.
29th August, 1933.

Colonel Reilly informed.

H. R. C.,
31st August, 1933.

17960/33 [No. 54].

No. 27.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT,

to

SECRETARY OF STATE FOR INDIA.

(Received 1.45 p.m., 31st August, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 2nd September, 1933.)

[*Answered by* No. 28.]

31ST AUGUST. No. 2132. Addressed to Secretary of State and repeated to Aden. Your telegram of the 23rd instant, No 2095. Aden.*

2. Resolutions will be moved during the present session in both Chambers that *communiqué* of the ? 20th June,† be taken into consideration. You will be kept informed of the trend of the discussions, and opportunity will be taken to refer to question of future incidence of 20 lakhs contribution.

3. Our general line in debate will be that it will be for Indian Legislature of the future to decide what treatment will be accorded to salt from Aden. We shall explain position as stated in paragraphs ? 2 to 6 of our letter C. 55 General/33, dated 13th February, 1933, omitting passages in which reference to compensation is made, namely, second sentence of paragraph No. 4, paragraph No. 5, and the second half of the first sentence, also last sentence of paragraph No. 6.

17960/33 [No. 56].

No. 28.

SECRETARY OF STATE FOR INDIA

to

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

(Sent 6th September, 1933.)

TELEGRAM.

(Copy received in Colonial Office 8th September, 1933.)

No. 2199. YOUR telegram 31st August, No. 2132, Aden.‡ In Legislative Assembly debate you will no doubt correct any inaccurate or misleading statements made by non-officials in either Assembly or Council of State.

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* No 25. † Sub-enclosure in 17960/33 [No. 49]: not printed. ‡ No. 27.

2. In this connexion I see that according to the short summary of Sethna's speech on 31st August by *Times* correspondent, he contended that Government of India would lose Rs. 10 lakhs in revenue from the salt and other taxes. Can you estimate and let me know what, if any, is the balance of revenue in respect of Aden over the cost of the civil administration?

3. A misleading impression might be caused by Sethna's reported quotation of Bray's remark on 29th January, 1929, if this was quoted out of its context and without regard to circumstances in which it was made. Obvious meaning of Bray's statement was that total transfer, including civil administration, had been abandoned *as a solution of old post-war controversy* as to future of Aden because this had been settled by His Majesty's Government's decision of December, 1926, and transfer of civil administration had thus ceased in 1929 to be in question. Since 1929 the conditions of the problem of course have been entirely changed by the approaching constitutional changes in India Bray's promise of prior consultation before transfer would have been meaningless if he had meant that all idea of transfer had been abandoned for ever.

17960/33 [No. 57].

No. 29.

THE GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT

to

SECRETARY OF STATE FOR INDIA.

(Received, Part 1 3.30 p.m., Part 2 8.5 p.m., and Part 3 8 p.m., 7th September, 1933.)

TELEGRAM.

(Copy received in Colonial Office, 9th September, 1933.)

Part 1.

7TH SEPTEMBER. 2200. Addressed to Secretary of State for India and repeated to Aden. Future of Aden was discussed in Council of State on 31st August, on resolution that *communiqué* of 20th June, be taken into consideration, moved by Sir Fazl-i-Husain, who stated that the official members would not take part in the debate and announced that, if a transfer (? was, omitted) effected, His Majesty's Government would meet contribution of Rs.20 lakhs hitherto borne by India.

2. Amendment was moved by Sir Phiroze Sethna to the effect that Council while no longer objecting to the transfer to Imperial control of political and military administration as at present exists, is definitely of opinion that civil administration should not be transferred to the Colonial Office but should remain with the Government of India or be retransferred to Bombay.

Part 2.

DEALING with the *communiqué*, Sethna referred to the interview which the Aga Khan's deputation had with you recently, and said difficulty of including Aden in future federation is not insurmountable, particularly if administration is retransferred to Bombay; against a saving of 20 lakhs India would lose about 10 lakhs revenue from salt, income-tax and super-tax; assurances regarding racial legislation and segregation valueless, and the position of Indians in Aden would become the same as in Kenya and other colonies. Continuing, he enumerated the following objections to separation:—

(1) Sentimental connexion—prosperity due to Indian enterprise.

(2) Somaliland ports were prosperous prior to the transfer from Bombay to the Colonial Office after which, higher taxation, due to the more costly administration, drove out the Indian traders and killed trade—same would happen to Aden.

(3) Separation will lead to increase in the number of official appointments with consequent rise in taxation.

(4) Indian trade with Aden will be lost owing to the inevitable departure of Indian merchants.

Part 3.

(5) Ruin of salt industry. Proceeding, said Aden Arabs, Jews, and Indians were opposed to separation, and concluded by expressing hope that the Government would respect the wishes of the Legislature if against transfer.

3. Other speakers, who with one exception opposed separation, traversed the same ground, only additional points being:—

(1) Indian merchants developed business in Aden in the belief that it would remain under India.

(2) Aden and Bombay opinion opposed separation.

(3) His Majesty's Government should repay India's expenditure, at least twenty lakhs yearly for the last 95 years.

(4) Aden people can voice grievances in the Indian Legislature without difficulty but could not do so easily in England.

(5) Aden no more difficult to merge in the federation than the Andamans.

4. Sethna's motion was adopted. Record of proceedings will be sent to you soon as possible. Matter will be discussed Legislative Assembly, Friday, 8th September, and report of the proceedings will be telegraphed to you. Opportunity will be taken to correct misleading impression which might be caused by Sethna's quotation referred to in your telegram of 6th September, 2199,* and to discuss his statement regarding Rs.10 lakhs loss of revenue. Reply to paragraph No. 2 of your telegram is being answered separately.

17960/33 [No. 58].

No. 30.

MR. F. D. MASANI

to

THE SECRETARY, GOVERNMENT OF INDIA.

(Copy received in Colonial Office 14th September, 1933.)

[*Answered by No.* 31.]

SIR, c/o Postmaster, Srinagar, Kashmir, 11th August, 1933.

IN connexion with the Aden transfer question I remember to have read in a Bombay paper a few months ago, what purports to be the views of the Government of India, from which it would appear that the dual control is intended to be retained even after the civil administration of this territory passes under the control of the Colonial Office. The High Court of Bombay under the Government's scheme, as reported, will function as a superior court, as at present, to which appeals from Aden would lie, presumably because law and justice will continue to be a responsibility of the Indian Government to be administered through its officers in Aden. In other words there will be Colonial Government without Colonial courts which, if seriously intended to be put into practice, will be, perhaps, without a parallel in any other part of the Empire.

2. It is quite possible that the views of Government have not been properly reported, and as one interested in the future of Aden, I should be much obliged to be told if the transfer is intended to be outright and from which date it is to take effect; whether the machinery of law will be Colonial or Indian, and what is more important, so far as this writer is concerned, whether legal practitioners from India will be allowed to appear before the newly-constituted courts or will be debarred as in British Somaliland.

Awaiting to hear early,

I remain, &c.,
F. D. MASANI.

17960/33 [No. 58A].

No. 31.

THE DEPUTY SECRETARY to THE GOVERNMENT OF INDIA

to

MR. F. D. MASANI.

(Copy received in Colonial Office 14th September, 1933.)

Foreign and Political Department,

SIR, Simla, 23rd August, 1933.

IN reply to your letter dated the 11th August, 1933,† addressed to the Secretary to the Government of India in the Home Department, I am directed to enclose for

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* No. 28. † No. 30.

your information a copy of the Press *communiqué* dated the 20th June, 1933,* and to say that the Government of India are unable at present to supply you with any further information than is contained therein.

I have, &c.,
R. R. BURNETT,
Deputy Secretary to the Government of India.

17960/33 [No. 61].

No. 32.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT

to

SECRETARY OF STATE FOR INDIA.

(Received 4.30 p.m., 19th September, 1933.)

TELEGRAM.

(Copy received in Colonial Office 21st September, 1933.)

19TH SEPTEMBER. No. 2266. Aden. Following motion was adopted without division in Legislative Assembly, 18th September:—

Begins:—While recording their emphatic protest against complete transfer to Colonial Office of Aden Settlement, which has for about a century been an integral part of British Indian administration, the Assembly requests Governor-General in Council to convey to His Majesty's Government strong desire of the people of India that proposed transfer should not take place - -*Ends*.

Full report will follow by mail as soon as possible.

17960/33 [No. 65].

No. 33.

INDIA OFFICE to COLONIAL OFFICE.

[*Answered by No.* .]

SIR, India Office, 27th September, 1933.

I AM directed by the Secretary of State for India to transmit to you, for the information of the Secretary of State for the Colonies copy of telegraphic correspondence on the subject of the future administration of Aden.

I am, &c.,
S. F. STEWART.

Enclosure 1 in No. 33.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO THE CHIEF COMMISSIONER ADEN

TELEGRAM.

30TH AUGUST. 2127. Please telegraph urgently opinion regarding transfer of Aden to Colonial Office held by Jewish community.

Enclosure 2 in No. 33.

CHIEF COMMISSIONER, ADEN, TO THE GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

TELEGRAM.

3RD SEPTEMBER. R. No. 42. With reference to your telegram of 30th August, No. 2127, Jewish opinion regarding transfer is divided. Conservative elements led by richest member of community, Selim, head of well-known firm Menahem Messa, support Indian opinion opposing it. Progressives, who are probably the majority, look forward to increase of western influences from Colonial administration and welcome it.

* No. 18.

17960/33 [No. 66].

No. 34.

MR. J. C. WALTON (INDIA OFFICE)

to

MR. H. R. COWELL (COLONIAL OFFICE).

[*Answered by No.* 35.]

DEAR COWELL, India Office, Whitehall, S.W.1, 10th October, 1933.

I ENCLOSE a copy* of the debate in the Indian Council of State on 31st August on the question of the transfer of Aden. We are much disappointed with the result of this debate and the subsequent debate which took place in the Legislative Assembly on 18th September (the report of which will be sent to you in due course). We had hoped that the Government of India, with the announcement of 19th June as their brief, might be able to induce the Legislature at least to take a less one-sided view of the question. But the Government of India—in the debate in the Council of State, at any rate—appear to have adopted a purely laodicean attitude.

The results of the debates, though they are not likely to affect the final decision, will make matters a bit more difficult. Our Secretary of State anticipates that the Indian delegates in the Joint Select Committee will raise the question some time during the autumn session of the Committee, and he is anxious to prepare a good case to meet them. We are preparing a brief for him.

There are two points in the debate in the Council of State on which you will probably be able to assist us:—

(1) On page 103 you will see that Sethna entirely distorted the meaning of assurance (5) in the announcement of 19th June. The meaning of that assurance was, of course, that a proportion of the administrative personnel at Aden would continue to belong to the Indian Service for some years. Sethna appears to have misunderstood it as meaning that only a proportion of the Indians at present serving among the administrative personnel would be retained for some years, and that the remainder would be "sent away." You will remember that we had wind of a possible misapprehension of this sort, and discussed the matter with you some time ago. It may be desirable to make it clear that what is meant is this, while the higher political appointments (in which officers of the Indian Political Department, but not Indians, are concerned) would be staffed from the Colonial Service on the expiry of the terms of the present incumbents, there is no intention that transfer should make any difference to the conditions on which Indians are at present serving in other posts, and that the position of such Indians actually holding appointments at Aden will remain as at present. You will remember that the appointment of Muhammad Yasin Khan, the Registrar of the Resident's Court, was a case in point.

(2) On page 114 you will see that Sir Muhammad Akbar Khan (the only member of the Council of State who spoke in favour of the transfer) stated that he supported separation on the clear understanding that Indians . . "should not be stopped from entering the Aden Protectorate as is the custom now." In order to make this point clear, could the Secretary of State, if he wishes, say that transfer will make no difference in this respect to the present position (which is, I understand from Reilly, that Indians have the same freedom of movement to and from the Protectorate as other non-Arab inhabitants of the Settlement)?

Yours, &c.,
J. C. WALTON.

17960/33 [No. 67].

No. 35.

MR. H. R. COWELL (COLONIAL OFFICE)

to

MR. J. C. WALTON (INDIA OFFICE).

[*Answered by No.* 37.]

DEAR WALTON, Downing Street, 24th October, 1933.

I HAVE your letter of the 10th October,† enclosing a copy of the debate in the Indian Council of State on the question of the transfer of Aden. I regret the

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* Not reprinted. † No. 34.

delay in replying to your letter which has been due to the necessity of reference to higher authority.

As regards the two points in the debate which you mention, I have to reply as follows:—

(1) Your announcement of the 19th June did not go as far as we were quite ready to go in regard to the retention of administrative personnel, as you will see on reference to the minutes of the Aden Committee of the 10th February.* We should be prepared to give an assurance that, in the event of the transfer of Aden, all Indian administrative personnel in Aden at the time of transfer would be retained on the terms of service under which they were then serving, subject only to modification by mutual consent, and that it was intended that when vacancies occurred, though there would be a gradual substitution of officers of the Colonial Service in the Aden Service, Indians and officers of the Indian Political Department would remain eligible for appointment to such posts. The posts of Resident and Political Secretary would be matters for special consideration. In giving this assurance we are assuming that the Indian conditions of service contain provisions for the retrenchment of officers or the abolition of offices somewhat similar to the provisions in our service. It would be understood that all newcomers of the Aden Service would be appointed on definite terms, and would have no claim to Indian conditions of service unless these were specially imported into their agreements or letters of appointment.

(2) We can give an assurance that Indian British subjects would be allowed to enter the Aden Protectorate under precisely the same conditions as any other British subjects.

Yours, &c.,
H. R. COWELL.

17960/33 [No. 70].

No. 36.

THE RESIDENT to THE SECRETARY OF STATE.

(Received 7.24 p.m., 25th November, 1933.)

TELEGRAM.

25TH NOVEMBER. No. 0661. My despatch of 19th April, 1933,† C.215A, forwarding a letter from leading Arabs regarding transfer of Aden I have now received further representations, translation of which is as follows:—

Begins:—With reference to the transfer of Aden to the Colonial Office we beg to state that after consideration and deliberation on this subject, we have decided to inform Government that we desire transfer of Aden to Colonial Office Administration. We also wish our just Government to give consideration to our following requests: 1. That education be improved. 2. That Aden be retained as a free port exempted from customs dues. 3. There shall be no racial distinction in view of the law. 4. That preference be given to Arabs for employment in Government service. 5. That matters of marriage and divorce be conducted by a Moslem Qadhi chosen by leading men of the town and that questions of inheritance and waqfs be decided in accordance with Islamic Sheria Law. 6. That rights and interests of Arabs be maintained by appointing an adequate number of them in proportion to their numbers in the town as members of both local Settlement and Port Trust Boards. 7. That an Advisory Council to Governor be established on which number of members representing Arabs should be in proportion to number of Arabs in town. The expression of views by this Council to Governor on all matters relating to town and its people would be of great importance as it would be only medium for discussion and assistance between people and Governor.—*Ends.*

Forty-seven signatories who include nearly all principal Arabs. They are anxious that their views be represented to Joint Parliaments by Committee on Indian Reform who are considering the future of Aden and have asked me informally (? group omitted) their representations by telegram for immediate communication to Com-

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* No. 2. † Enclosure 2 in No. 6.

mittee. I request this be done and that it be pointed out that Arabs are over 60 per cent. of population. Copy of translation of representations follows by mail. Addressed to Foreign Delhi, repeated to Colonial Office.

17960/33 [No. 73].

No. 37.

MR J. C. WALTON (INDIA OFFICE)

to

MR. H. R. COWELL (COLONIAL OFFICE).

[*Answered by* No. 39.]

DEAR COWELL, India Office, Whitehall, S.W.1, 28th November, 1933.

I OUGHT to have written before to thank you for your letter of the 24th October,* relative to the question of the transfer of Aden. The additional information contained in your letter has been of great assistance to us.

2. The Secretary of State put in a memorandum to the Joint Select Committee representing the views which he himself desired to express to them at this stage, and this, together with a memorandum by Sir P. Sethna, has been printed in the records of the Committee. I enclose a copy of the record.†

3. Copy is also enclosed of telegraphic correspondence with the Government of India. As regards paragraph 1 of the Government of India's telegram of 17th November, we should be glad to know what you think of Sir B. L. Mitter's point. Though we take the view here that the Indian fear of racial discrimination is already really answered, as was pointed out in the Secretary of State's memorandum, by the categorical assurance in the statement of 19th June, it may be that Sir B. Mitter feels that Indians may be apprehensive that the guarantee of no racial legislation may still leave some loophole for discrimination in practice, *e.g.*, in regard to trade. We are aware that there would be no grounds for any such apprehension, but, in order to meet the point, it might be desirable, if you are able to agree, to inform the Government of India that there will be no racial discrimination, either in legislation or in administration.

Yours, &c.,
J. C. WALTON.

Enclosure 2 in No. 37

SECRETARY OF STATE FOR INDIA TO GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

TELEGRAM.

(Secret.)

30TH SEPTEMBER. 2403. Future of Aden may be raised in Joint Select Committee. With a view to assisting me in dealing with it, could you let me have your views by telegraph at the earliest possible date on question of transfer, and subsidiary questions of date and method of separation (see your official telegram of 16th May, No. 1236).

On what date may I expect to receive reports of debates in Council of State 31st August and Legislative Assembly 18th September?

Please reply as soon as possible by telegram as to estimated balance, if any, of revenue in respect of Aden over cost of civil administration (paragraph 2 of my telegram 6th September).

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 12.50 p.m., 3rd October, 1933.)

TELEGRAM.

(Secret.)

3RD OCTOBER. 2100 Your telegram of the 30th ultimo, 2403. Aden.

2. Copies of debates in Council of State and Legislative Assembly have been sent to you by air mail 2nd October accompanied by letter giving details of civil

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* No. 35 † Not reprinted.

revenue and expenditure which, as explained by our Finance Member in Assembly, roughly balance.

3. Copies of debates have only just been placed in hands of members of the Executive Council, some of whom, as is usual during move to Delhi, are on tour. Some delay in formulating our views on debates and on questions set forth in first paragraph of your telegram is thus inevitable. We are however fully alive to urgency and importance of putting before you at the earliest possible moment our considered opinion on future of Aden, which, as debates in both chambers have shown, is matter of considerable material and sentimental importance to India. We shall telegraph our views as soon as possible and trust no decision as to Aden's future will be taken until you are in possession of them.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 12·30 p.m., 12th October, 1933.)

TELEGRAM.

(Secret.)

12TH OCTOBER. 38 C. Reference our telegram of the 3rd instant, 2400 (sic) Aden.

2. Having regard to the views expressed by all sections of Indian opinion in recent debates in the Assembly and Council of State, we strongly urge that when the future of Aden is considered, strength of genuine Indian sentiment in favour of retaining it as part of British India should be recognised. This sentiment can be met by maintaining broad features of the present arrangements under which the defence of Aden and relations with adjoining protectorate are a responsibility of His Majesty's Government, while the civil administration alone is concern of the Government of India.

We see no serious difficulty in carrying forward these arrangements into the new constitution. Civil administration would, as now, be entrusted to Chief Commissioner as officer subordinate to the federal Government, but subject to convention that the officer appointed by His Majesty's Government to hold charge of the protectorate and political relations with the interior would automatically be appointed Chief Commissioner by the federal Government. We trust that His Majesty's Government may see their way to accept the arrangement on these lines, which would leave them free to protect themselves in any way, both as regards the defence of Aden and its use as strategic point. So little is involved in the civil administration of the town of Aden, that it would seem politically most undesirable simply, for the purpose of effecting its transfer from the future federal Government, to embitter Indian feeling in a matter in which practical issues are of such minor importance.

We would draw particular attention to this aspect of the case. It may perhaps be necessary at some future date for His Majesty's Government to assume civil control of Aden, but to do so now would we feel be most unfortunate. We are at present preparing to hand over to India a large measure of control of her own affairs and, in so doing, are demonstrating our trust in her future willingness to maintain the Imperial connexion. If, at the same time, we take from her what small measure of control she still exercises over the one Imperial link with which she is directly connected, we shall incur the obvious criticism that our professions of trust are meaningless and that we do not believe either in her power or will to remain within the Empire. such action on our part will, we feel, engender widespread resentment in India and will undoubtedly be a most unfortunate precursor to the introduction of the new constitution.

3. His Excellency the Viceroy, who was absent in Assam when the above opinion was formulated, concurs in these views which represent those of the majority of his Council.

4. Should His Majesty's Government approve of these proposals, we will consider in detail the question of including Aden in our proposals for the Chief Commissioner's provinces in the new Constitution.

SECRETARY OF STATE FOR INDIA TO GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT.

TELEGRAM.

(Secret.)

30TH OCTOBER. 2658. Your telegram dated 12th October 38 C. Aden.

2. I have given fullest and most sympathetic consideration to your views and have closely studied debates in Legislative Assembly and Council of State. But while I fully appreciate your arguments, and recognise, too, that effect of debates must unfortunately be to crystallise opposition to transfer and afford a grievance, I remain of opinion that the only satisfactory solution of the Aden problem is that the Settlement should be separated from India not later than the date of Federation. Importance must of course attach to expression of opinion by Legislature. But it is common ground between us that its resolutions have no binding force in this matter; and fact that their resolutions were adopted in absence of any guidance from Government or any elaboration of the strong case for a transfer and the substantial safeguards offered by His Majesty's Government makes it necessary to some extent to discount opinion recorded.

3. To remove any possibility of misunderstanding I think it desirable to elaborate in greater detail than I have hitherto done arguments, which are in my view decisive, in favour of immediate transfer. They are substantially:—

(*a*) Anomaly of including in new constitutional arrangements area already to some extent under Imperial control, inseparable in practice from Aden Protectorate for which India has ceased to be in any way responsible, geographically remote from India and predominantly Arab. Complete divorce between civil administration of Settlement on the one hand and political and military control of Settlement and Protectorate on the other would be impracticable. Existing condominium works efficiently only with some difficulty and in practice because in the last resort decision of all questions arising rests in His Majesty's Government either directly or through Government of India. This would no longer be to the same extent the case under the new constitution. For defence purposes distinction between Protectorate and Settlement will in any event be impossible and it is therefore essential that defence of the latter as well as of former should continue to be direct responsibility of His Majesty's Government. But if Settlement became part of Indian Federation a continuance of the present system whereby defence rests in His Majesty's Government in respect of the Settlement as well as of the Protectorate would be constitutionally anomalous and might give rise to most serious difficulties. Anomaly would be difficult if not impossible to defend effectively against criticism in Legislature and might lead to not illogical demand for retransfer of military control of Protectorate to Government of India. You will appreciate too practical awkwardness of criticism in Legislature of action at Aden of forces in no way under their control, *e.g.*, in quelling riot.

(*b*) If dual control is not abolished now it will be much more difficult to abolish it later once Settlement has become incorporated in Federation. Issue is one which must in my view be faced now or not at all. While I appreciate force of your argument for postponing decision objections seem to me overwhelming.

(*c*) Indian population represents only one-eighth of population of Settlement, though its financial interests are of course very important. As you will have seen from Chief Commissioner's despatch No. C.403 of 15th July last Arab community while well satisfied with existing system are gravely apprehensive of possibility of Indianisation at Aden, and of subordination of Arab to Indian interests under reforms. Moreover, effective representation of Arab community in Indian legislature would be extremely difficult nor would it be easy to feel entire confidence, even making all allowance for good will and fairness of legislature, that Indian might not preponderate over Arab interests in case of conflict. It is essential to give great weight in reaching present decision to interests of Arab inhabitants.

(*d*) Strategic position of Aden and its importance from this aspect to Eastern Empire generally and not merely to any single unit is strong argument for control by Home Government and decisive objection from Parliamentary standpoint to retention of existing condominium under new constitution.

4. Assurances already given by His Majesty's Government in my view cover all reasonable apprehensions, and I am disappointed at failure of legislature to recognise their generous character and at attempts of various speakers to distort them. In light of apprehensions expressed in debate I have now secured however specific additional assurance from Colonial Office that in event of transfer Indian British subjects would be allowed to enter Protectorate under precisely same conditions as any other British subjects.

5. Colonial Office are further prepared to give assurance that all Indian administrative personnel serving in Aden at the time of transfer would be retained on terms of service under which they were then serving, subject only to modification by mutual consent. When vacancies occurred (though there would be gradual substitution of Colonial Service officers) Indians would remain eligible for appointment though on definite terms to be agreed in each case and on basis of Indian conditions of service only if these were specially imported into their agreements or letters of appointment.

6. On two further points arising out of debate I should like to add (*a*) that parallel with Somaliland drawn by Sethna was quite misleading. Somaliland ports have gone down because of inability of local administration, owing to unruly character of inhabitants, to levy any direct taxation with the result that administration depends entirely on import duties. Position at Aden is exactly the reverse as Aden is a free port and cost of administration is met by direct taxation.

(*b*) Prominence of Salt question is understandable. But this is essentially a matter for the Indian Legislature, having regard to the Fiscal Convention. In view of solicitude shown in debate for commercial and other interests of Indians at Aden, Legislature may possibly be responsive to any appeal made by Sethna and his friends on behalf of Aden salt manufacturers when question arises.

7. I will endeavour to take an opportunity in immediate future either in the Joint Committee or in discussion with Sethna and his friends to explain reasons for transfer and comprehensive character of assurances, and so to redress balance and emphasise true position. Meanwhile I shall be glad if you will urgently consider matter further, and let me have your observations by telegraph as early as possible.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT, TO SECRETARY OF STATE FOR INDIA.

(Received 6.45 p.m., 17th November, 1933.)

TELEGRAM.

(Secret.)

17TH NOVEMBER. 2731. Your telegram of the 30th ultimo, 2658, Aden.

2. We have considered most carefully points of view expressed in this telegram. Some of us are not prepared, in spite of your arguments, to resile from attitude already expressed in our telegram of the 12th ultimo, 38 C, which gives local arguments in favour of the retention of Aden by India. These arguments are admittedly based on sentiment, but, as we have already said, Indian sentiment is likely to prove a most important factor in regulating the relations between the future Government of India and His Majesty's Government. Those of us who hold this point of view are not prepared to admit that practical difficulties against the retention of Aden settlement by India are so great as to outweigh advantages which would result from its inclusion in the Federation. The difficulties attendant on such a concession to Indian sentiment seem small, while its effect, at a time goodwill of informed Indian opinion in regard to new constitution is of considerable value, would be great.

3. On the other hand, some of us have been considerably impressed by your arguments. In particular, His Excellency the Commander-in-Chief, who was not present when the question was under consideration in October, desires us to place on record his emphatic agreement with your point of view. In his opinion position at present is entirely anomalous. Aden is of too great importance to the Empire to be placed under divided control. The protectorate and settlement must, from the defence point of view, be solely under the Government of India or under His Majesty's Government, and he is of opinion that, particularly in view of the transfer already effected of the defence of the protectorate to His Majesty's Government, the only logical and possible course is to transfer complete control of the settlement as well.

4. Sir B. L. Mitter, who was also not present last month, concurs in the view that divided control is impossible and that, provided Indian interests are fully safeguarded, advantage lies in the transfer of complete control to His Majesty's Government. He presses, however, for a definite statement by His Majesty's Government granting full safeguards for Indians against discrimination of any sort *vis-à-vis* European or other traders in Aden.

5. In these circumstances, it appears to us that decision must finally vest (*sic*, ? rest) with His Majesty's Government. We have endeavoured in this, and in our previous telegram, to set before you local point of view. This point of view is entitled to the fullest consideration, but we feel that it is for His Majesty's Govern-

ment to decide whether it is sufficient to outweigh the considerations of imperial interests, many of which are beyond our purview.

6. We feel, therefore, that it is unnecessary for us to enter into a detailed consideration of the points raised in your telegram under reference. In regard, however, to salt interests raised in paragraph No. 6 (*b*), we would point out that we see no reason to suppose that future Indian Legislatures will assume an attitude different from that described in paragraphs 5 and 6 of Finance Department's letter C.55 G.L.33, of the 13th February, 1933.

17960/33 [No. 75].

No. 38.

GOVERNMENT OF INDIA, FOREIGN AND POLITICAL DEPARTMENT,

to

SECRETARY OF STATE FOR INDIA.

(Received 11.45 a.m., 30th November, 1933.)

TELEGRAM.

(Copy received in Colonial Office 5th December, 1933.)

30TH NOVEMBER. 995-N. Aden telegram dated 25th November, C. 661.* Government of India have no objection to representations being communicated to Joint Committee.

17960/33 [No. 74].

No. 39.

MR. H. R. COWELL (COLONIAL OFFICE)

to

MR. J. C. WALTON (INDIA OFFICE).

DEAR WALTON, Downing Street, S.W.1. 7th December, 1933.

IN reply to your letter of the 28th of November,† enclosing correspondence with the Government of India on the subject of the transfer of Aden, we can certainly give an assurance that in the event of transfer there will be no racial discrimination either in legislation or in administration against Indian British subjects in Aden.

In this connexion I would suggest that when attention is drawn to the position of Indians in Kenya, where the circumstances are wholly exceptional, reference might be made in reply to the position in such Colonies as Mauritius and Ceylon, where resident British Indians have full civic rights and Indians, whether resident or not, are subject to no disabilities in comparison with any other British subjects.

Yours, &c.,
H. R. COWELL.

17960/33 [No. 76].

No. 40.

THE RESIDENT to THE SECRETARY OF STATE.

(Received 11th December, 1933.)

(Confidential.)
(No. 285.)

SIR, The Residency, Aden, 29th November, 1933.

I HAVE the honour to refer to my telegram No. C/661 dated the 25th November, 1933,* to the Secretary to the Government of India in the Foreign and Political Depart-

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* No. 36. † No. 37.

ment, repeated to you, and to forward herewith, for your information, a copy of a despatch No. C/662 of the 25th instant, that I have addressed to the Government of India on the subject of the proposed transfer of the Administration of Aden to the control of His Majesty's Government.

I have, &c.,
B. R. REILLY,
Resident, &c.

Enclosure in No. 40.

(Confidential.)
(No. C. 662.)

SIR, The Residency, Aden, 25th November, 1933.

Future of Aden.

I HAVE the honour to refer to my telegram No. C/661 dated 25th November, 1933, and to enclose a translation of the Arab representation referred to therein.

2. As stated in my telegram the signatories include nearly all the principal Arabs in the town. They are anxious that their views may be clearly represented before the Parliamentary Joint Select Committee which is considering the White Paper on Indian Constitutional Reforms. They are opposed to the inclusion of Aden within the new Indian Constitution, and, as stated in their representation, they desire its transfer to Colonial Office administration.

3. The racial composition of the population of Aden is as follows:—

European	1,145
Arabs	29,820
Indians	7,287
Jews	4,120
Somalis	3,935
Miscellaneous	331

It will be seen that the Arabs form over 60 per cent. of the population, and are by far the largest individual community, and I trust that adequate consideration will be given to the opinion which their leading men have now expressed in a rather more definite form than hitherto.

I have, &c.,
B. R. REILLY,
Chief Commissioner.

The Secretary to the Government of India,
Foreign and Political Department, New Delhi.

Translation of a representation in Arabic dated 23rd November, 1933, from certain Arabs.

To Lieutenant-Colonel B. R. Reilly, Chief Commissioner, Aden.

A. C.

WITH reference to the transfer of Aden to the Colonial Office we beg to state that after consideration and deliberation on this subject, we have decided to inform Government that we desire the transfer of Aden to Colonial administration. We also wish our just Government to give consideration to our following requests:

(1) That education be improved.

(2) That Aden be retained as a free port exempted from customs dues.

(3) That there shall be no racial distinctions in the view of the law.

(4) That preference be given to Arabs for employment in Government service.

(5) That matters of marriage and divorce be conducted by a Moslem Qadhi chosen by the leading men of the town, and that questions of inheritance and Waqfs be decided in accordance with the Islamic Sheri'a law.

(6) That the rights and interests of the Arabs be maintained by appointing an adequate number of them in proportion to their numbers in the town as members of both the local Settlement and Port Trust Boards.

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END

(7) That an advisory council to the Governor be established, on which the number of members representing the Arabs should be in proportion to the number of Arabs in the town. The expression of views by this Council to the Governor on all matters relating to the town and its people would be of great importance as it would be the only medium for discussion and assistance between the people and the Governor.

Signatures of :—

MUHAMMAD 'ABDULQADIR AL MACKAWI.
MUHAMMAD BIN MUHSIN AS SAFI.
AHMED BIN 'UMAR BAZAR'A.
'ALI BIN MUHAMMAD 'UMAR BAZAR'A.
'UMAR BIN MUHAMMAD BA SALIH.
HASAN MUHAMMAD SALIH JA'FAR.
MUHAMMAD 'ALI SA'D.
'ABDUL WAHID AL HAJ MUHAMMAD.
'AWADH 'UMAR BA MATRAF.
SALIH BIN 'ABDULLA BA RAHIM BA 'ASHIN.
ABDULLA BIN AHMED AS SAFI.
'ABDUL WADIR MUHAMMAD MUHEIRIZ.
MUHAMMAD 'UMAR 'UQBA.
SALIM BA SODAN.
AS'AD TAHIR.
HUSEIN AHMED TAHA AS SAFI.
'UMAR ABUBAKAR 'UQBA.
THABIT SALIH AT TOW'ALA.
SEYYID MUHAMMAD AHMED AL MAQDI.
ABDULLA AL HAJ MUHAMMAD.
AHMED 'ABDILLAH.
'ALI MUDHISH AL KHIRBASH.
MUHAMMAD 'ABDULQAWI
SA'ID SALLAM.
SA'ID 'ABDULLA KHALIFA.
SALIM 'AWADH BA FADHL.
'UMAR BIN TAHA AS SAFI.
MUKRID MUHAMMAD 'ABDULLA AL YEMANI.
MUHAMMAD SA'ID MUBARAK.
MUHAMMAD MAHBUB.
SALIM BIN MUHAMMAD ABDULLA BA SINDWA.
'ALI BIN AHMED BIN 'UTHMAN.
MUHAMMAD BIN SALIM BA 'UBEID.
MUHAMMAD AHMED.
AHMED 'ALI HASAN.
'ALI AHMED AR RUJ'I.
JUNEID 'ABDULQADIR BA JUNEID.
'ABDURRAHMAN and SALIM AL BA 'ABBAD.
SEYYID SALIM BIN 'ABDILLAH AL JIFRI.
'ALI BIN BUBAKAR BA FADHL.
'UMAR BIN 'ABDULLA BA 'ABBAD.
MUHAMMAD BIN 'ABDULLA HAMID AS SAFI.
SEYYID 'ABDULLA SALIH BA HARUN.
SALIM BIN MUHAMMAD BA SHANFAR.
'UMAR and ABDULLA, sons of SALIH BA SHANFAR.
BAKKAR 'ABDULLA JABR.
'ALI BIN SALIM BIN MUBARAK

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